

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
 PTO/SB/25 (09-04)  
 Approved for use through 07/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

In re Application of: Poulsen et Al.

Application No.: 10/663463

10/663463

Filed: 9/16/2003

For: Method and System for Assisting a User in Medical Self Treatment

The owner, Novo Nordisk, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6856114 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record. Reg. No. 48829

Marc A. Began

Signature

12/12/2004

Date

Marc A. Began

Typed or printed name

609-919-7829  
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
 Form PTO/SB/98 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

12/13/2004 DLILES 00000001 141447 10663463

If you need assistance in completing this form, call 1-800-PTO-8199 and select option 2.

81 FC:1814 110.00 DA

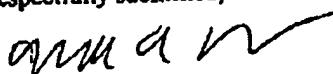
Attorney Docket No.: 6133.214-US

**CONCLUSION**

Applicant's attorney wishes to thank the Examiner for his helpful remarks during their telephone call. Should the Examiner believe that any claims are not in condition for allowance, he should feel free to contact the applicants' attorney.

The commissioner is authorized to charge any payments related to this application, including the fee for the terminal disclaimer, to Novo Nordisk's Deposit Account, No. 14-1447 and to credit any over payments to the same account. Should any petitions for extensions of time be required, applicants respectfully request such petitions and authorize payment of any fees due in connection with them to the above referenced deposit account.

Respectfully submitted,



Date: December 2, 2004

Marc A. Began, Reg. No. 48,829  
Novo Nordisk Pharmaceuticals, Inc.  
100 College Road West  
Princeton, NJ 08540  
(609) 987-5800

23650  
PATENT TRADEMARK OFFICE